

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

UNION PACIFIC RAILROAD §  
COMPANY, §  
§  
Plaintiff, §  
§  
v. § Case No. 6:19-cv-574-JDK  
§  
CITY OF PALESTINE, *et al.*, §  
§  
Defendants. §

**FINAL JUDGMENT**

Pursuant to the Court's Order Granting Summary Judgment for Plaintiff Union Pacific (Docket No. 65), entered on February 3, 2021, the Court hereby enters **FINAL JUDGMENT.**

**IT IS ORDERED** that:

1. The 1954 Agreement is preempted by the ICCTA and so is null and void;
2. Union Pacific is under no obligation to honor any of the 1954 Agreement's terms, including any requirement that the railroad station any portion of its workforce or operations at Palestine;
3. Neither Union Pacific or any of its successors and assigns are required to maintain employees or facilities in Palestine, Texas or Anderson County, Texas;
4. City of Palestine and Anderson County are enjoined from enforcing the 1954 Agreement against Union Pacific nor any of its successors and assigns.

All pending motions are **DENIED** as **MOOT**. All expenses, costs, and attorneys' fees are to be borne by the party that incurred them. The Clerk of the Court is instructed to close this case.

So **ORDERED** and **SIGNED** this **25th** day of **March, 2021**.

  
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JEREMY D. KERNODLE  
UNITED STATES DISTRICT JUDGE